

Court No. 2
01.8.2025
(Item No. 11)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

C.P.A.N. 652 of 2024
in
W.P.A. 1222 of 2019

Swapan Kumar Sau
VS
Subhasis Mitra & Ors.
District Inspector of Schools (SE)
Purba Medinipur & Ors.

Mr. Kanailal Samanta
.... For the contemnor Nos. 2 & 3
Mr. Rudranil De
Mr. Mihir Kundu
.... For contemnor No. 1

None appears for the petitioner.

Mr. Kanailal Samanta, learned advocate
appears for contemnor nos. 2 and 3.

Mr. Rudranil De, learned advocate with Mr.
Mihir Kundu, learned advocate appears for alleged
contemnor No. 1.

Mr. Kanailal Samanta, learned advocate
appearing for the alleged contemnor Nos. 2 and 3
submits that, from the said order date June 27, 2023
an appeal was preferred by the School Authority being
F.M.A. 127 of 2025. By an order dated **April 21,**
2025 passed by the Hon'ble Division Bench the
appeal was disposed of with the following finding:

*“2. We are of the view that the appellant has
made out a prima facie case. However, having
regard to the fact that the appellant could not
present the case in full and in the event it is
established in the writ petition that the
appellant is entitled to recover amount from the
salary to release the remaining dues in the
loan account, we set aside the order impugned*

and the writ petition will now be heard by the learned Single Judge.

3. *The appellant shall file an affidavit-in-opposition before the learned Single Judge within two weeks from date. Reply thereto, if any, be filed within one week thereafter.*
4. *The directions are peremptory.*
5. *Liberty to mention after the affidavits are complete.*
6. *We make it clear that we have not gone into the merits of the matter and the writ petition shall be decided uninfluenced by the observation made by us in this order.*
7. *Accordingly, the appeal and the application are disposed of.”*

Mr. Rudranil De, learned counsel appearing for the alleged contemnor no. 1 submits that, his client has already complied with the direction of this Court prior to the said appellate order was passed and accordingly the alleged contemnor no. 1 was discharged from the contempt proceeding by this Court by an order dated **November 8, 2024**.

Be that as it may, since the order dated **June 27, 2023** has been set aside by the Hon'ble Appellate Court, nothing further survives in this contempt proceeding.

Accordingly, this contempt proceeding **CPAN 652 of 2024** stands **dropped** and **closed**.

The application being **CPAN 652 of 2024** stands **disposed of**.

(Aniruddha Roy, J.)